



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET  
ATLANTA, GEORGIA 30365

AUG 20 1987

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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Denver V. Harris, President  
Prairie Metals and Chemicals Corporation  
P.O. Box 138  
Aberdeen Industrial Park  
Prairie, MS 39756

RE: Prairie Metals and Chemical Site, Prairie, Mississippi

Dear Mr. Harris:

The United States Environmental Protection Agency (EPA) is considering spending public funds to investigate and take response measures to control the release or threatened release of hazardous substances, pollutants or contaminants at the above-referenced site. This action will be taken pursuant to Section 104 and other provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA" or the "Superfund law"), 42 U.S.C. §9601 et seq., as amended by the Superfund Amendments and Reauthorization Act ("SARA") (P.L. 99-499), unless EPA determines that such action will be done properly by a responsible party. Information compiled during EPA's investigation of the site indicates that you may be a potentially responsible party.

By this letter, therefore, EPA intends to notify you of your potential liability with regard to this site and to encourage you, as a potentially responsible party, to undertake voluntary cleanup activities. This letter is to further inform you of other potentially responsible parties who are also being asked to undertake the response actions described herein. A list of those potentially responsible parties is provided as an enclosure.

On February 26, 1985, the EPA sampled the previous site of Prairie Metals and Chemical Company, located on State Highway 382, adjacent to an inactive army ammunition plant in Prairie, Monroe County, Mississippi. Both soil and water samples were found to have elevated levels arsenic, chromium and lead, and a large pile of ferrous ammonium sulfate (FAS) was found inside the warehouse. Records also indicate that drums of contaminated material were buried in at least two areas.

Before the Agency undertakes actions in response to the problems presented by the site, we would like to know if you will voluntarily perform the work required to abate any releases or threatened releases at this site. The response actions now proposed are detailed below. Unless you undertake the response actions described herein, EPA plans to conduct those response actions at the Prairie Metals and Chemical site. EPA may then seek to recover the costs from you.

The response actions to be taken at this site may include, but are not necessarily limited to:

1. Excavate and dispose of all contaminated materials located in the on-site burial pits, in a federally approved manner.
2. Treatment of all contaminated water on-site.
3. Removal and disposal of all FAS located in the warehouse, in a federally approved manner.
4. Sampling of all removal areas and on-site soil to determine if cleanup is complete.

You may obtain additional information on the technical aspects of these response actions by contacting the Agency's technical representative identified below.

Under Section 107 of CERCLA, 42 U.S.C. §9607, as amended, where the Agency uses public funds to take corrective actions at the site, you may be liable for all costs associated with the removal action and all other necessary costs incurred in cleaning up the site. You should contact the Agency's legal representative identified below if you desire more information.

EPA will consider an offer by you alone or in conjunction with other potentially responsible parties to conduct the response actions described above provided that you agree to follow the requirements set forth by EPA. Please notify EPA, in writing, within ten (10) calendar days from the receipt of this letter of your willingness and ability to conduct or participate in the response actions described above. If you are willing and able to act, you may request a period of negotiation to facilitate an agreement with you for taking the necessary response actions and to expedite these removal actions. Under Section 122(e) of CERCLA, 42 U.S.C. §9622(e), as amended, whenever EPA, in the exercise of its discretion, determines that such a period of negotiation is appropriate at a site, it may provide a moratorium during which no response action may be commenced by the EPA. This letter does not, however, constitute the special notification provided for in Section 122(e) of SARA, and does not invoke the negotiation moratorium set forth in that subsection. EPA will consider any demonstration you may make in your response about your ability and willingness to act before determining whether a period of negotiation and a moratorium are appropriate in this case. Should a negotiation moratorium be determined to be appropriate, you will be notified of this in a separate letter.

Your failure to respond to this letter in the time and manner set forth herein will constitute a refusal to participate in the response actions and will result in the other PRPs or EPA conducting response action at this site.

Your letter should include the appropriate name, address and telephone number for further contact with you. If you are involved in discussions with state or local authorities, engaged in voluntary action or involved in a lawsuit regarding this site, you should continue that activity and report the status of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions. In addition, if you have any reason to believe that there may be other potentially responsible parties that have not been identified by EPA, please provide, to the extent available, the names, addresses and telephone numbers of those parties, and a brief explanation (to the extent you know) of why such other parties may be liable.

Your letter should be sent to:

Kelly S. McCarty  
Emergency Response and Control Section  
U.S. Environmental Protection Agency  
345 Courtland St., NE  
Atlanta, Georgia 30365

Notwithstanding EPA's request that you conduct the appropriate response action, should events occur which necessitate an immediate response action, EPA may, in its discretion, take whatever action is necessary to abate such danger or threat without further notification to you.

The factual and legal discussions contained in this letter are intended solely for notification and edification purposes. They are not intended to be, are not, and may not be relied upon as a final Agency position on any matter set forth herein.

If you need further general information, Ms. McCarty, technical representative, can be reached at 404/347-3931. If you need further information on any of the legal issues in this letter, J. L. Zimmerman, legal representative, can be reached at 404/347-2641.

EPA would like to encourage good faith negotiations between you and the Agency and among you and other potentially responsible parties. Due to the seriousness of the problem at the site and the attendant legal ramifications, the Agency strongly encourages you to submit a written response within the time frame specified herein. We hope that you will give these matters your immediate attention.

Sincerely yours,

A handwritten signature in cursive script that reads "Patrick M. Tobin".

Patrick M. Tobin  
Director  
Waste Management Division

Enclosure

LIST OF POTENTIAL RESPONSIBLE PARTIES

City of Aberdeen  
Mayor Frank Harrington  
125 W. Commerce  
Aberdeen, MS 39730

4th Supervisors District of Munroe County  
Mr. C. E. (Bubba) Henley  
c/o Chancery Building  
127 W. Commerce St.  
Aberdeen, MS 39730

Systems Services and Industrial Corp.  
Mr. W. L. New, President  
P.O. Box 7147  
Savannah, GA 31418

Mr. Denver V. Harris, President  
Prairie Metals and Chemicals Corporation  
P.O. Box 138  
Aberdeen Industrial Park  
Prairie, MS 39756

Mr. Denver V. Harris, President  
Prairie Metals and Chemicals Corporation  
HWY 8 East  
Aberdeen, MS 39730